

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

May 16, 2017

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Delbert W. Lee

Case Number: 0980 2:17CR00061-SAB-1

Address of Offender: [REDACTED], Spokane, Washington 99212

Name of Sentencing Judicial Officer: The Honorable B. Lynn Winmill, U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Stanley A Bastian, U.S. District Judge

Date of Original Sentence: March 8, 2017

Type of Supervision: Supervised Release

Original Offense: Theft of Mail Matter, 18 U.S.C. § 1708

Original Sentence: Prison - 57 days
TSR - 36 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: U.S. Attorney's Office

Date Supervision Commenced: March 8, 2017

Defense Attorney: Federal Defender's Office

Date Supervision Expires: March 7, 2020

PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 05/03/2017.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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4	<p><u>Mandatory Condition #3:</u> You shall refrain from any unlawful use of controlled substance. The defendant shall submit to one drug test within 15 days of release on supervision and to a maximum of 5 periodic drug tests a month thereafter for the term of supervision as directed by the probation officer. The cost to be paid by both the defendant and the government based upon the defendant's ability to pay.</p>
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Supporting Evidence: On March 30, 2017, Mr. Lee was given a copy of his judgement and his conditions of supervision were explained to him. He signed the judgment and stated that he understood his conditions.

Mr. Lee was informed on March 30, 2017, that his judgement had a condition that allowed for random urinalysis testing through probation's drug and alcohol vendor. He was directed to call Alcohol Drug Education Prevention and Treatment (ADEPT) daily and to listen for the color "Brown 2."

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On May 12, 2017, Mr. Lee's color "Brown 2" was called, and he reported to ADEPT as directed. Mr. Lee tested presumptive positive for morphine. The results have been sent to Alere Laboratory for further testing and confirmation. Mr. Lee signed a drug use admission form stating he used morphine on or about May 12, 2017.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 05/16/2017

s/Joshua D. Schull

Joshua D. Schull

U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

5/16/2017

Date